

UNITED STATES DISTRICT COURT

for the

Southern District of New York

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2022 SEP 16 AM 10:51

civil Division

DASHON HINES

Case No. _____

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

NHL

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT FOR EMPLOYMENT DISCRIMINATION

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	DASHON HINES
Street Address	124 FULTON STREET #5C
City and County	BUFFALO and ERIE
State and Zip Code	NEW YORK and 14204
Telephone Number	518-616-6416
E-mail Address	dashonhines@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination**Defendant No. 1**

Name	NHL
Job or Title <i>(if known)</i>	NATIONAL HOCKEY ASSOCIATION
Street Address	1185 6th Avenue
City and County	New York and New York
State and Zip Code	New York and 10036
Telephone Number	(212) 789-2000
E-mail Address <i>(if known)</i>	Julie.Krzyzanowski@sabres.com

Defendant No. 2

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

C. Place of Employment

The address at which I sought employment or was employed by the defendant(s) is

Name	BUFFALO SABRES / KEYBANK CENTER
Street Address	One Seymour H. Knox III Plaza
City and County	Buffalo and Erie
State and Zip Code	New York and 14203
Telephone Number	(716) 855-4443

II. Basis for Jurisdiction

This action is brought for discrimination in employment pursuant to *(check all that apply)*:



Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)



Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)



Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)



Other federal law *(specify the federal law)*:

<https://www.eeoc.gov/retaliation>



Relevant state law *(specify, if known)*:



Relevant city or county law *(specify, if known)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. The discriminatory conduct of which I complain in this action includes *(check all that apply)*:

☐

Failure to hire me.

☒

Termination of my employment.

☐

Failure to promote me.

☐

Failure to accommodate my disability.

☐

Unequal terms and conditions of my employment.

☒

Retaliation.

☐

Other acts *(specify)*: _____

(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)

B. It is my best recollection that the alleged discriminatory acts occurred on date(s)
September 8, 2022

C. I believe that defendant(s) *(check one)*:

☒

is/are still committing these acts against me.

☐

is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my *(check all that apply and explain)*:

☒

race African American

☐

color

☐

gender/sex

☐

religion

☐

national origin

☐

age *(year of birth)* _____ *(only when asserting a claim of age discrimination.)*

☐

disability or perceived disability *(specify disability)*

E. The facts of my case are as follows. Attach additional pages if needed.



Dashon Hines <dashonhines@gmail.com>

KBC Attendance

4 messages

Krzyzanowski, Julie <Julie.Krzyzanowski@sabres.com>

Thu, Sep 8, 2022 at 12:13 PM

To: "dashonhines@gmail.com" <dashonhines@gmail.com>

Good Afternoon Dashon:

We had you on the schedule today for 8am but you did not arrive. We do have you on the schedule again tomorrow for 8am. We hope all is well and wanted to know if you planned to work tomorrow so we can staff accordingly.

Thank you,

Julie

**Julie Krzyzanowski** | Operations Coordinator // Arena Operations**BUFFALO SABRES / KEYBANK CENTER**

One Seymour H. Knox III Plaza, Buffalo, NY 14203

(O)716-855-4443

STOP HATE. END RACISM. CHOOSE LOVE.**Dashon Hines** <dashonhines@gmail.com>

Thu, Sep 8, 2022 at 1:06 PM

To: "Krzyzanowski, Julie" <Julie.Krzyzanowski@sabres.com>

Hey Julie, we just spoke on the phone. I just wanted an opportunity to speak with you in person today about some concerns as an employee. Please find time for us to meet today. I am scheduled to work tomorrow at 8am.

Dashon Hines



Dashon Hines <dashonhines@gmail.com>

Employee complaint

Fierle, Erin <Erin.Fierle@psentertainment.com>
To: Dashon Hines <dashonhines@gmail.com>

Thu, Sep 8, 2022 at 6:35 PM

Hi Dashon:

Thank you for speaking with me this evening per your voicemail and email request.

From our conversation today I want to acknowledge your formal complaint regarding your orientation experience and will begin an investigation.

At this time, we will not be able to adjust your shift or supervisor and given your statement that you are not comfortable with the equipment or working with the supervisor we will delay your start date until the investigation is complete. I hope to have this completed early next week.

On additional item – please see the attached EAP information where you can find resources for grief counselors. Again, sorry for your loss.

If you have further questions, please feel free to reach out to me, otherwise I will be in touch with you next week.

Thank you,

Erin

Erin Fierle - SPILL, FIERLE, WOOD, WDA | Director of HR // Human Resources
PEGULA SPORTS + ENTERTAINMENT
79 Perry St., STE 300 Buffalo, NY 14203
O: 716-855-4030

STOP HATE. END RACISM. CHOOSE LOVE.

[Quoted text hidden]

2 attachments

image005.png
1K

1The EAP is Here for You_2020_IBH Guardian.pdf

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination

KBC Attendance

Krzyzanowski, Julie
Sep 8, 2022, 12:14 PM (1 day ago)
to me

Good Afternoon Dashon:

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)

IV. Exhaustion of Federal Administrative Remedies

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on (date)

U.S. Equal Employment Opportunity Commission 525-2022-02401.

- B. The Equal Employment Opportunity Commission (check one):

☐

has not issued a Notice of Right to Sue letter.

☒

issued a Notice of Right to Sue letter, which I received on (date) 09/09/2022

(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)

- C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct (check one):

☐

60 days or more have elapsed.

☐

less than 60 days have elapsed.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.



Dashon Hines <dashonhines@gmail.com>

Inquiry 525-2022-02401 Dashone Hines v. Pegula Sports & Entertainment

2 messages

NELIDA SANCHEZ <NELIDA.SANCHEZ@eeoc.gov>

Wed, Sep 7, 2022 at 2:54 PM

To: "Dashonhines@gmail.com" <Dashonhines@gmail.com>

Good afternoon,

I am the investigator assigned to your case regarding the above-mentioned inquiry of employment discrimination. I received and reviewed your inquiry. Based on the information that you submitted, it does not seem that we will be conducting an investigation regarding your allegations.

It seems that your allegations did not establish a prima facie case. A Charging Party (you) must provide the building blocks which would lead to reasonably believe there was a violation to the Law. Specifically, you were unable to establish that there was a connection between your bases- race, age, national origin, gender, color, religion, disability discrimination, genetic information, and retaliation, and the harm that you alleged- unlawful hiring process under the "at will" process. Basically, you have not provided any supportive information to establish that you were discriminated against because of any of those bases (the laws enforced by the EEOC.) Please be aware that the EEOC does not have jurisdiction to investigate complaints regarding New York State "at will" employment requirement.

Therefore, your inquiry is closed. However, if you decide to file a charge of discrimination with the EEOC, no investigation will be conducted. If you insist that you wish to file a charge of discrimination, I will draft a charge of discrimination with the information already assembled; then your charge will be dismissed without investigation, and you will be provided with a Notice of Rights to Sue which will entitles you to file suit against the Respondent named in the charge within 90 days of receipt of said notice. If we do not hear from you by **September 14, 2022**, we will assume that you decided not to file a charge of discrimination against Respondent, and your inquiry will remain closed. If you decide to file a charge of discrimination and obtain a Notice of Right to Sue, please send me an email no later than September 14, 2022, expressing your wish to proceed with the filing of your charge. Thank you.

Nelly Sanchez

US Equal Employment Opportunity Commission

Olympic Towers

300 Pearl St., Suite 450

Buffalo, NY 14202

nelida.sanchez@eeoc.gov

Phone: (716) 431-5017

Main: (716) 431-5007

Fax: Bufffaxmain@eeoc.gov



Dashon Hines <dashonhines@gmail.com>

525-2022-02401 Dashon Hines Sr. v. Pegula Sports & Entertainment

3 messages

NELIDA SANCHEZ <NELIDA.SANCHEZ@eeoc.gov>

Thu, Sep 8, 2022 at 8:26 AM

To: "Dashonhines@gmail.com" <Dashonhines@gmail.com>

Good morning,

Today, I sent you via Portal a drafted charge of discrimination based on the information that you provided. The drafted charge is **only a summary** of your allegations. Please visit EEOC Portal to review and electronically sign your charge of discrimination. Your signature is due no later than **September 15, 2022**. If you do not sign your charge of discrimination or contact us by September 15, 2022, we will assume that you no longer wish to file a charge of discrimination against Respondent, and your inquiry will be closed. If you have questions, you may contact me at (716) 431-5017. If changes or modifications to the initial drafted charge should be made, you will have only **ONE** chance to make those modifications. Therefore, make sure that you let us know about all/any changes to your charge (after you review your drafted charge via Portal.)

CHARGE SIGNING INSTRUCTION

To sign your Charge, log on to the EEOC Portal at: <https://publicportal.eeoc.gov/portal/SignIn.aspx? From=Home>

1. Scroll to the bottom of the page and click "No" box declining to recommend changes
2. Click "SIGN AND FILE" button
3. Check the "Checkbox" in the popup window attesting to the truthfulness of your Charge
4. Click the "FILE CHARGE" button

IF MODIFICATIONS TO THE DRAFTED CHARGE ARE NEEDED

As it was previously mentioned, you will have only one chance to suggest modifications to your charge of discrimination. Therefore, I recommend that you **do NOT** input comments or attempt to communicate with EEOC **via the comments box (in the Portal)** as doing so may delay your Charge. Instead, **call (at 716-431-5017) or email me** with questions or concerns.

If you have decided not to file a Charge, please notify me by return email.

As a reminder, please be aware that we will appreciate if all your contact/information is done by accessing EEOC Portal. All personnel is mostly teleworking, so our physical office is close. Therefore, I do not have access to regular mail. Accessing EEOC Portal will give secure access to the EEOC's digital file and direct communication with our office. Specifically, the EEOC Public Portal will allow you to review, digitally sign, and file the charge; after you sign your charge you will have all day access to submit any additional supportive information, check the status of your case, and many other functions. The entire EEOC has moved to use the EEOC Portal which has been extremely helpful and a time saver during this Pandemic (Covid-19.)

If you experience system or log in issues with the EEOC Digital Charge System or Online Portal, please contact our Digital Support Desk with questions or concerns at digitalsupport@eeoc.gov or call the Help Desk at 1-800-569-7118.



Filing with EEOC

[Assessment](#)[Inquiry](#)[Schedule
Interview](#)[More Details](#)

I want this charge filed with both the EEOC and the State or local Agency agencies if I change my contact information and I will cooperate fully with of my charge in accordance with their procedures.

I understand by signing below that I am filing a charge of employment discrimination with the EEOC. I understand that the EEOC is required by law to give notice of this charge, which includes my name, to **Pegula Sports & Entertainment**. I also understand that the EEOC only investigate charges of job discrimination based on race, color, religion, sex (including pregnancy, sexual orientation and gender identity), national origin, disability, or based on retaliation for filing a charge of employment discrimination, or someone else's complaint about job discrimination, or complaining to the EEOC about discrimination.

☒ I swear (or affirm) under the penalty of perjury that: (1) I am the person who filed this charge and (2) that the information contained in this charge is true and correct.

X Mr. Dashon M Hines Sr. ----- Signed
Hines Sr. On 09/08/22 8:45:41

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination

\$1,000,000.00 (One Million Dollars)

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 09/09/2022

Signature of Plaintiff

Printed Name of Plaintiff Dashon Hines

B. For Attorneys

Date of signing: _____

Signature of Attorney _____

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Street Address _____

State and Zip Code _____

Telephone Number _____

E-mail Address _____

CERTIFICATE OF SERVICE BY MAIL

State of New York :

SS:

County of Eric

Dashon Hines, hereby certify that I am the plaintiff herein and

served a copy of the following document(s):

Employment Discrimination (Specify document(s))

on Clerk of the Court (Name of person/Addressee)

at: One Bowling Green (Address to which document(s)
New York, NY 10004-1408 were sent)

by mailing and depositing a true and correct copy of said document(s) in a mailbox located

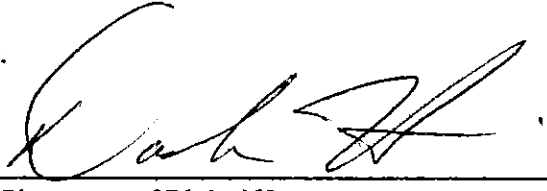
at: 124 Fulton St. Buffalo NY 14204

on the following date: September 9, 2022

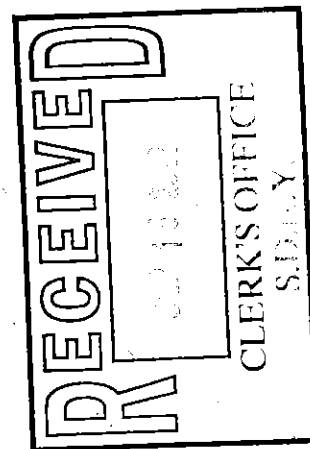
I certify that the foregoing is true and correct.

DATED:

September 9, 2022


Signature of Plaintiff

Deborah Hines
24 Fulton Street #503
Brooklyn New York 11204



PROSE
EN

SEP 16 2022

Eastern District of
New York
300 Pearl Street
New York, NY 10007